

DECLARATION, POWER OF ATTORNEY AND PETITION

We, Thomas J. McLaughlin, James E. Messinger, and Ronald J. Nelson, declare: that we are citizens of the United States of America; that our residences and post office addresses are 3668 Apollo Drive, Salt Lake City, Utah 84124, 9349 South Solena Way, Sandy, Utah 84093, and 1115 East Sunnyside Avenue, Salt Lake City, Utah 84102, respectively; that we verily believe we are the original, first, and joint inventors of the subject matter of the invention or discovery entitled A NETWORK COMMUNICATION SYSTEM, for which a patent is sought and which is described and claimed in the specification attached hereto; that we have reviewed and understand the contents of the above-identified specification, including the claims; and that we acknowledge the duty to disclose all information known to us to be material to patentability as defined in Section 1.56 of Title 37 of the Code of Federal Regulations.

We hereby claim the benefit under Section 120 of Title 35 of the United States Code of the earlier filed pending application, Serial No. 09/040,916, filed March 18, 1998 which in turn claims priority to provisional patent application Serial No. 60/041,458, filed March 25, 1997; and, insofar as the subject matter of each of the claims of this application is not disclosed in the earlier filed pending application in the manner provided by the first paragraph of Section 112 of Title 35 of the United States Code, we acknowledge the duty to disclose material information, as defined in Section 1.56(a) of Title 37 of the Code of Federal Regulations, which occurred between the filing date of the earlier filed application and the filing date of this application.

We declare further that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful, false statements may jeopardize the validity of the application or any patent issuing thereon.

We hereby appoint as our attorneys and/or patent agents those individuals associated with U.S. Patent and Trademark Office Customer No. 21552 with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith. All correspondence and telephonic communications should be directed to John R. Thompson at the address associated with Customer No. 21552.

Wherefore, we pray that Letters Patent be granted to us for the invention or discovery described and claimed in the foregoing specification and claims, declaration, power of attorney, and this petition.

Signed at Salt Lake City, Ut, this 10th day of
January, 2001.

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